

**REGULAR MEETING**

**MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL**

**February 22, 2010**

**CALL TO ORDER** The Regular Meeting of the Mayor and Board of Trustees of February 22, 2010 was held in the Meeting Room of the Village Hall, 7660 County Line Road, Burr Ridge, Illinois and called to order at 7:00 p.m. by Mayor Grasso.

**PLEDGE OF ALLEGIANCE** was conducted by Naomi Boye of Gower West Elementary School.

**ROLL CALL** was taken by the Village Clerk and the results denoted the following present: Trustees Grela, Sodikoff, Paveza, Allen, DeClouette, & Mayor Grasso. Absent was Trustee Wott. Also present were Village Administrator Steve Stricker, Public Works Director Paul May, Police Chief John Madden, and Village Clerk Karen Thomas.

There being a quorum, the meeting was open to official business.

**AUDIENCE** There were none at this time.

**CONSENT AGENDA – OMNIBUS VOTE** After reading the Consent Agenda by the President, motion was made by Trustee Grela and seconded by Trustee Allen that the Consent Agenda – Omnibus Vote, (attached as Exhibit A), and the recommendations indicated for each respective item, be hereby approved.

On Roll Call, Vote Was:

AYES: 5 – Trustees Grela, Allen, DeClouette, Paveza & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**APPROVAL OF REGULAR MEETING OF FEBRUARY 8, 2010** were approved for publication under the Consent Agenda by Omnibus Vote.

**APPROVAL OF BUDGET GOALS AND OBJECTIVES WORKSHOP OF FEBRUARY 8, 2010** were noted as received and filed under the Consent Agenda by Omnibus Vote.

**RECEIVE AND FILE (DRAFT) WATER COMMITTEE MEETING OF FEBRUARY 15, 2010** were noted as received and filed under the Consent Agenda by Omnibus Vote.

**ORDINANCE GRANTING A VARIATION FROM THE FENCE HEIGHT AND LOCATION REQUIREMENTS AND DENYING A VARIATION FROM THE OPEN FENCE REQUIREMENTS OF THE VILLAGE OF BURR RIDGE ZONING ORDINANCE**

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**(V-04-2009: 504 AMBRIANCE! – BHATT)** The Board, under the Consent Agenda by Omnibus Vote, approved the Ordinance granting variations to permit a fence that exceeds the maximum height of five feet from grade and to permit a fence to be located forward the rear wall of the house rather than the requirement that fences be restricted to the area behind the rear wall of the house and denying a variation to permit the use of solid masonry piers as support posts for the fence rather than the requirement that each one foot section of the fence be at least 50% open.  
**THIS IS ORDINANCE NO. A-834-03-10**

**APPROVAL OF REQUEST FOR RAFFLE LICENSE FOR HINSDALE JUNIOR WOMAN'S CLUB FOUNDTION, INC. AND HOSTING FACILITY LICENSE FOR THE MARRIOTT HOTEL IN CONJUNCTION WITH THE CLUB'S "WELCOME TO THE JUNGLE" FUNDRAISING EVENT ON FEBRUARY 27, 2010** The Board, under the Consent Agenda by Omnibus Vote, approved the Raffle and Chance License be issued to the Hinsdale Junior Women's Club for its February 27, 2010 raffle, with the fidelity bond waved, and that the Marriott Hotel be licensed to host the event.

**APPROVAL OF REQUEST FOR FMLA LEAVE OF ABSENCE – OFFICER ROBERT WIRTH, JR.** The Board, under the Consent Agenda by Omnibus Vote, approved the request for an unpaid leave of absence from March 23 through April 24, under the Family and Medical Leave Act for Police Officer Robert Wirth, Jr.

**VOUCHERS** in the amount of \$260,380.27 for the period ending February 22, 2010 and payroll in the amount of \$173,912.45 for the period ending February 6, 2010 were approved for payment under the Consent Agenda by Omnibus Vote.

**ORDINANCE AMENDING SECTION 58.01 OF CHAPTER 58 (WATER WORKS SYSTEM) OF THE BURR RIDGE MUNICIPAL CODE** Steve Stricker, Village Administrator, stated that effective January 1<sup>st</sup>, the City of Chicago increased their water rates by 14%. At their meeting on February 15<sup>th</sup>, the Water Committee recommended a rate increase of 14% effective with the next water bill, which will be distributed in March.

Mayor Grasso noted that the rates increased 15% in 2008, 15% in 2009, and 14% in 2010 and added that the Village passed the increases along to the residents without increasing amounts at the Village level.

Trustee Paveza responded that there is no announced increase next year from the City of Chicago. The previous increases were pre-announced as part of a three year escalation project. Trustee Paveza continued to explain that DuPage County is incurring a 20% rate increase and added that Burr Ridge has one of the lowest water rates in the area. Mayor Grasso clarified that any increases from the DuPage Water Commission do not affect the DuPage County side of the Village.



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Motion was made by Trustee DeClouette and seconded by Trustee Paveza to approve the Ordinance amending Section 58.01 of Chapter 58 of the Burr Ridge Municipal Code.

**THIS IS ORDINANCE NO. A-439-01-10**

On Roll Call, Vote Was:

AYES: 5 – Trustees DeClouette, Paveza, Allen, Grela & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**ORDINANCE AMENDING CHAPTER 41 OF THE BURR RIDGE MUNICIPAL CODE TO PROHIBIT VIDEO GAMING WITHIN THE VILLAGE**

Steve Stricker, Village Administrator, stated that Video Gaming was last discussed at the November 9<sup>th</sup> Board meeting and was tabled to this meeting. The Board has been provided with several documents on this topic including an Ordinance proposed to prohibit video gaming, news articles, Ordinances from other communities, a report from Police Chief John Madden, a survey from Village establishments eligible for video gaming, and state gaming board rules. Mr. Stricker requested direction from the Board on how to proceed with Video Gaming.

Mayor Grasso stated that the state legislature is supposedly reevaluating the video gaming issue and he proposed continuing this topic to another meeting. The Mayor added he is uncertain as to how the legislature would make it any more palatable to the Board but there is no urgency to vote tonight.

Trustee Paveza questioned that if Villages vote against video gaming, would these actions suggest opposition to Springfield. Waiting to vote might give Springfield a method to circumvent what most Villages feel is right. In response, Mayor Grasso feels there will likely be an amendment to the Video Gaming Act and it would be beneficial to await this to see what the alternatives are.

Trustee Sodikoff added he is uncertain as to what additional information would make it palatable to vote in favor of video gaming. He added he has heard that communities voting against video gaming would be disqualified from receiving state funding.

In response, Mr. Stricker stated the funds the Village received in the past were federal funds and this is a new fund that is being created. He continued that with funds from Governor Ryan's Illinois First program, the Village was able to fund the resurfacing of South Frontage Road, which amounted to a couple million dollars. He added that these are the kind of capital funds the Village may not receive.

There was further discussion by the Board members to determine the appropriate timing to address Video Gaming at a subsequent meeting.



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Motion was made by Trustee DeClouette and seconded by Trustee Allen to continue Video Gaming to the first meeting in June, subject to Staff informing the Board of sufficient information to address it sooner.

By Voice Vote, the motion carried.

**RECOMMENDATION TO AWARD CONTRACT FOR OFFICE FURNISHINGS FOR THE NEW POLICE FACILITY** Steve Stricker, Village Administrator, stated that in November, bid specifications were discussed for the furnishings for the new Police Facility. At that time, an estimated project cost of \$299,000 was presented. After that discussion, additional shelving units were purchased at the cost of \$17,723 resulting in a reduced estimate to bid of \$281,277. Mr. Stricker said that on January 29 the Village received six bids. Some of the bids provided options for either alternative or used furniture. Significant time was spent reviewing the bids with the goal of obtaining the best price. Ms. Doreen Redmond, of Williams Architects, assisted in evaluating the bids. The best bid was provided by Henrickson of Itasca at \$209,012.96, with an alternative and refurbished furniture bid of \$189,395.23. Ms. Redmond was unavailable to attend the Board Meeting but Mr. Mark Bushhouse of Williams Architects is in attendance and available to answer questions. Mr. Stricker continued that after evaluation it was concluded that the bid can be reduced to \$203,335.17 by accepting alternatives and using existing furniture, such as file cabinets. Mr. Stricker stated that Staff's recommendation is to reject all bids and allow Staff to negotiate a contract with Henricksen for \$203,335.17. In addition, Mr. Stricker added that since the Henrickson estimate is almost \$78,000 lower than the estimated project cost, it will enable costs to remain within the Furniture, Furnishings, & Equipment (FF&E) budget.

Mayor Grasso said he received a complaint from Chicago Office Interiors stating that they were the lowest bidder and yet they were not awarded the contract. In response, Mr. Stricker explained that Chicago Office Interiors provided a bid for used furniture. It was not the furniture that was specified, it was simply used furniture. Mr. Stricker said their specifications were difficult to follow and it could not easily be determined what was being provided. Henrickson's bid was presented in a nice packet, well-organized, with pictures of the furniture requested.

Mr. Mark Bushhouse of Williams Architects explained that the Chicago Office Interiors bid is considered non-responsive, as it did not indicate exactly what was being provided on the used furniture. Regarding the new furniture, everything was substitute and did not meet what was specified. In conclusion, Mr. Bushhouse stated that Chicago Office Interiors did not follow the bidding requirements or specifications.

Mayor Grasso questioned the justification of negotiating a contract with Henrickson at \$203,335.17 and rejecting bids from Midwest Office Interiors and Contract Resource since their bids were lower than the Henrickson's bid. In response, Mr. Stricker stated that both firms did not provide bids





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containing the equipment and furnishings that were requested. Staff spent additional time looking at equipment and re-evaluated lower quality equipment in an effort to save money. He continued that after comparing the higher and lower levels again, it was realized that the better quality furniture was the correct choice.

Motion was made by Trustee Grela and seconded by Trustee DeClouette to reject all bids and authorize Mr. Stricker and Mr. Bushhouse as representatives to negotiate a contract with Henrickson for a price not to exceed of \$203,335.17.

On Roll Call, Vote Was:

AYES: 5 – Trustees Grela, DeClouette, Paveza, Allen, & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**POLICE FACILITY CONSTRUCTION UPDATE**

Mr. Stricker introduced Ms. Christine Keltner of Integrated Project Management to give an update on the Police Facility Construction. Ms. Keltner began the discussion with a review of the completed activities by month and continued with a schedule of upcoming activities by month.

Ms. Keltner continued the presentation discussing risk factors for meeting the completion deadline. She explained that the parking lot was deferred to the early summer due to a moist fall. There is a potential for heavy spring rain but there should be sufficient time for the clay to dry to meet the schedule. The roofing has been installed but the tower roofing is still needed and should be complete in early March. Ms. Keltner stated that the facility is on track for completion by July 21, 2010. In Ms. Keltner's project experience, the major risk factor for completion is due to owner changes requested. Ms. Keltner continued the presentation by showing recent pictures of the exterior and interior of the facility.

Ms. Keltner stated that the FF&E owners cost is tracking at \$385,105 of the \$400,000 allocation and includes furnishings, construction testing services, storage system, telephone, wireless networking, permit fees and utility tie-in fees. In response, Mr. Stricker added that FF&E does not include Integrated Project Management fees and the telephone system. He added that it is planned to take funds from the Equipment Replacement Fund and transfer it to the IT Fund to enable an upgrade to the telephone system for the entire Village so all employees are on a central telephone system. Ms. Keltner added that to date, there have been four change orders totaling approximately \$31,000 and credits of approximately \$12,000 netting at \$18,500. A change order for the security and glazing for the security area is anticipated. She stated that the degree of upfront planning for the project has reduced costs.



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Trustee Allen noted that since the \$203,335.17 furniture bid is \$78,000 less than anticipated; the furniture would actually have been over budget if the original \$299,000 was spent. Mr. Stricker responded by stating this is the reason alternates and refurbished furniture bids were solicited. In response, Trustee Allen asked if there were items that were not budgeted for. Ms. Keltner responded that there were some items not budgeted or added later, such as modifications to the roadway and walkway. Mr. Stricker added that the \$400,000 was an early estimate but the intent is to remain within that figure.

Trustee Grela observed that the terminology, "substantial completion" is subjective and wondered when the actual turnover of the facility would occur. Ms. Keltner responded that the plan allows four weeks for punchlist items based on a final walkthrough with the intent to accomplish final completion around August 20<sup>th</sup>.

Mr. Stricker stated that based on some questions and comments at the last meeting, he prepared some information in terms of the role of Williams Architects and Integrated Project Management during construction. In response to Trustee Allen, Mr. Stricker stated that the contract states the Village and Williams Architect would renegotiate the base fee which includes the design, development, construction drawing, and bidding up until construction actually starts, if the construction bid came in \$500,000 more or less than the engineer's estimate, which it did. Mr. Stricker said that he and Mr. Bushhouse have been negotiating this item and he wants to be certain the Board was in agreement with the \$40,000 prior to finalizing it.

Mr. Bushhouse stated that \$40,000 is a lot to give back when a project is 90% complete. However, he is in agreement with Mr. Stricker and if it meets with the Board's sense of fairness, they would like proceed with it.

**AMENDMENT TO BLUFF ROAD PUD PRE-ANNEXATION AGREEMENT**

Mr. Stricker explained that the Village has a Pre-Annexation Agreement that was approved in 2008 for the property on Bluff Road. This property is not within the corporate limits of the Village at this time. There were certain requirements of the Agreement to extend the public water system and to improve the streets adjacent to this subdivision. The economy has slowed the development of this subdivision. The agreement requires completion of the roadway improvements in April 2011. The developer has indicated additional time will be needed until the end of 2014 due to lack of tenants. Staff agrees that an extension is warranted but it is recommended that the extension be tied to occupancy, additional construction, and/or a final calendar date. Mr. Stricker noted that when multiple tenants occupy the buildings, street improvement becomes more critical. Staff recommends that the Agreement be amended to require that the street improvements be completed within two years of the first occupancy, within two years of the second building permit, or prior to January 1, 2015, whichever occurs first. Mr. Stricker continued that if the Board agrees to amend the



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Agreement, a public hearing would be required. Mr. Stricker is requesting direction from the Board to prepare the necessary Amendment.

Trustee Grela commented about the suggested date of completion of two years or January 1, 2015. He pointed out that the asphalt yards shut down the first or second week of November. This date would automatically push the completion to mid-April which is not acceptable. Trustee Grela would like the completion date to be no later than November 1, 2014, which allows ample time for completion. In addition, Trustee Grela pointed out that since no letter of credit is being held, this is more of a gentleman's agreement.

John Barry, McNaughton Development, Inc. replied that there is a letter of credit posted with DuPage County. Mr. Barry inquired if the completion could be dependent upon 75% occupancy of the first building.

Trustee Grela commented that the developer needs to diligently pursue 100% and not keep it under 75% just to delay the completion. He stated that he has great concern when he hears such statements as 75% or a specific target because he has been involved in numerous projects where it was designed specifically to keep tenancy under that particular benchmark to prevent the completion of specific tasks.

Trustee Sodikoff suggested completion be dependent upon three tenants or 50% occupancy, whichever comes first. Mr. Barry said that the developer Mr. McNaughton is hoping for a few tenants, which would put occupancy at 6,000 square feet and he would then proceed with the improvements. There was additional discussion among the Board members regarding completion alternatives.

Motion was made by Trustee Sodikoff and seconded by Trustee Grela to amend the Bluff Road Pre-Annexation Agreement to extend the deadline for completing roadway improvements for Bluff Road to the occupancy of three tenants, or 50% occupancy of the first building, or the start of the second building and to authorized Staff to schedule a public hearing.

On Roll Call, Vote Was:

AYES: 5 – Trustees Sodikoff, Grela, Paveza, DeClouette, & Allen

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**EVENTS PLANNING COMMITTEE RECOMMENDATION CONCERNING 2010 SUMMER CONCERT SERIES** Mr. Stricker stated the Events Planning Committee is budgeting \$25,000 for the Fiscal Year 2010 – 2011 events at the Village Center. The Committee is



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currently soliciting donations for events, but is having a difficult time in the current economy. Mr. Stricker said at this time, agreements must be signed with bands for the concert series in order to secure their availability. To date, only a couple of agreements have been signed based upon donations secured. The Committee is hoping to sign agreements with the remaining five entertainers. However, since the Budget has not yet been approved, the committee is requesting Board approval to sign the remaining agreements and continue to solicit donations.

Trustee Grela expressed concern regarding recent reductions within the Village and questioned if the concerts will even bring people to the Village Center. Mr. Stricker responded that although we have made some difficult decisions lately, the Village Center is the hub of our Village and our community center and remains a priority. Mr. Stricker feels the money requested is a relatively small amount within the \$8,000,000 total budget. Mayor Grasso agreed that even in tough times, it is important to keep a sense of community and spirit.

Trustee Allen inquired about what events are included in the \$25,000 amount. Mr. Stricker explained it includes the concerts, car show, Jingle Mingle, and advertising.

Motion was made by Trustee Paveza and seconded by Trustee DeClouette to approve the request from the Events Planning Committee to enter into agreements with the remaining five entertainers for the concert series in June and July, 2010 and to solicit donations throughout calendar year 2010.

On Roll Call, Vote Was:

AYES: 5 – Trustees Paveza, DeClouette, Allen, Grela, & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**OTHER CONSIDERATIONS** There were none at this time.

**AUDIENCE** There were none at this time.

**REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

Mayor Grasso read a Census announcement. It stated that the 2010 Census is quickly approaching. In mid to late March, the Census will be mailed and should be returned on Census Day, April 1st. It contains ten questions, takes about ten minutes to complete, and is easy to fill out. The results of the Census are confidential and will not be shared with anyone outside of the Census Bureau. One does not have to be a citizen to participate. Approximately \$400 of federal spending is lost for each person who does not complete a Census Form. This valuable funding can pay for everything from jobs to police protection, roadwork, school and social programs.



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**ADJOURNMENT** Motion was made by Trustee Grela and seconded by Trustee Paveza that the Regular Meeting of February 22, 2010 be adjourned to Closed Session to discuss approval of Closed Session Minutes of February 8, 2010, Collective Bargaining Matters, and Probable and Imminent Litigation.

On Roll Call, Vote Was:

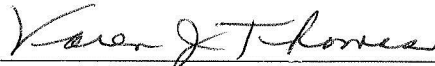
AYES: 5 – Trustees Grela, Paveza, DeClouette, Allen, & Sodikoff

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried and the meeting was adjourned at 8:07 p.m. to Closed Session.

PLEASE NOTE: Where there is no summary of discussion on any items in the minutes, this reflects that no discussion occurred other than the introduction of the item.

  
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Karen J. Thomas  
Village Clerk  
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 8<sup>th</sup> day of March, 2010.



**RECONVENED REGULAR MEETING**

**MAYOR AND BOARD OF TRUSTEES, VILLAGE OF BURR RIDGE, IL.**

**February 22, 2010**

**CALL TO ORDER** The Regular Meeting of the Mayor and Board of Trustees of February 22, 2010 was reconvened at 8:25 p.m. with the same Trustees in attendance as immediately preceding the Closed Meeting from 8:10 p.m. to 8:25 p.m.

**RECONVENE REGULAR MEETING** Motion was made by Trustee Sodikoff and seconded by Trustee DeClouette that the Regular Meeting of February 22, 2010 be reconvened.

On Roll Call, Vote Was:

AYES 5 – Trustees Sodikoff, DeClouette, Paveza & Allen

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried.

**OTHER CONSIDERATIONS** Village Administrator, Steve Stricker asked the Village Board how they would like him to proceed in regard to the negotiations with Williams Architects over reduction in fees. After some discussion the consensus of the Board was to direct the Village Administrator to request an additional \$10,000 in reductions in the base architect fee from Williams Architects.

**ADJOURN REGULAR MEETING** Motion was made by Trustee Paveza and seconded by Trustee Allen that the Regular Meeting of February 22, 2010 be adjourned

On Roll Call, Vote Was:

AYES 5 – Trustees Paveza, Allen, Sodikoff, Grela & DeClouette

NAYS: 0 – None

ABSENT: 1 – Trustee Wott

There being five affirmative votes, the motion carried. and the Regular Meeting of February 22, 2010 was adjourned at 8:30 p.m.



Karen J. Thomas  
Village Clerk  
Burr Ridge, Illinois



Steven S. Stricker  
Village Clerk Pro-Tempore  
Burr Ridge, Illinois

APPROVED BY the President and Board of Trustees this 8<sup>th</sup> day of March, 2010.





**AGENDA  
REGULAR MEETING – MAYOR & BOARD OF TRUSTEES  
VILLAGE OF BURR RIDGE**

**February 22, 2010  
7:00 p.m.**

- 1. CALL TO ORDER/PLEDGE OF ALLEGIANCE – Naomi Boye  
Gower West Elementary School**
- 2. ROLL CALL**
- 3. AUDIENCE**
- 4. CONSENT AGENDA – OMNIBUS VOTE**

All items listed with an asterisk (\*) are considered routine by the Village Board and will be enacted by one motion. There will be no separate discussion of these items unless a Board member or citizen so request, in which event the item will be removed from the Consent Agenda.

**5. MINUTES**

- \*A. Approval of Regular Meeting of February 8, 2010
- \*B. Approval of Budget Goals and Objectives Workshop of February 8, 2010
- \*C. Receive and File Draft Water Committee Meeting of February 15, 2010

**6. ORDINANCES**

- A. Consideration of Ordinance Amending Section 58.01 of Chapter 58 (Water Works System) of the Burr Ridge Municipal Code
- B. Consideration of Ordinance Amending Chapter 41 of the Burr Ridge Municipal Code to Prohibit Video Gaming Within the Village
- \*C. Approval of An Ordinance Granting a Variation from the Fence Height and Location Requirements and Denying a Variation from the Open Fence Requirements of the Village of Burr Ridge Zoning Ordinance (V-04-2009: 504 Ambriance! – Bhatt)

**7. RESOLUTIONS**

**8. CONSIDERATIONS**

- A. Consideration of Recommendation to Award Contract for Office Furnishings for the New Police Facility
- B. Police Facility Construction Update
- C. Consideration of Amendment to Bluff Road PUD Pre-Annexation Agreement

- D. Consideration of Events Planning Committee Recommendation Concerning 2010 Summer Concert Series
- \*E. Approval of Request for Raffle License for Hinsdale Junior Woman's Club Foundation, Inc. and Hosting Facility License for the Marriott Hotel in Conjunction with the Club's "Welcome to the Jungle" Fundraising Event on February 27, 2010
- \*F. Approval of Request for FMLA Leave of Absence – Officer Robert Wirth, Jr.
- \*G. Approval of Vendor List
- H. Other Considerations – For Announcement, Deliberation and/or Discussion Only – No Official Action will be Taken

**9. AUDIENCE**

**10. REPORTS AND COMMUNICATIONS FROM VILLAGE OFFICIALS**

**11. CLOSED SESSION**

- Approval of Closed Session Minutes of February 8, 2010
- Collective Bargaining Matters
- Probable and Imminent Litigation

**12. RECONVENED MEETING**

**13. ADJOURNMENT**